

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JACE YARBROUGH,

Plaintiff,

v.

THE UNITED STATES SPACE FORCE, *et al.*,

Defendants.

No. 4:23-cv-00876-ALM

**AGENCY AND OFFICIAL-CAPACITY DEFENDANTS' UNOPPOSED APPLICATION
FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO
PLAINTIFF'S COMPLAINT**

The official capacity Defendants, the United States Space Force, the United States Department of the Air Force, United States Secretary of Defense Lloyd J. Austin III, United States Secretary of the Air Force Frank Kendall, and General B. Chance Saltzman in his official capacity¹ (the “moving Defendants”) file this motion for extension of time for forty-five (45) days within which to answer or otherwise respond to Plaintiff’s complaint.

Plaintiff filed his Complaint on October 3, 2023. The United States Attorney’s Office in the Eastern District of Texas, Sherman Division, was served with a Summons and a copy of the Complaint on October 10, 2023, resulting in a response deadline for the moving Defendants of December 11, 2023.

The moving Defendants requests the extension to allow for sufficient time to obtain sufficient information to respond to the complaint and to coordinate with the defending agency clients,

¹ Undersigned counsel does not represent General B. Chance Saltzman in his individual capacity and does not seek any extension of any deadline pertaining to claims brought against General B. Chance Saltzman in his individual capacity.

particularly in light of the upcoming holidays (Thanksgiving, Christmas, and New Year's), undersigned counsel's pre-scheduled leave, and counsel's workload in other cases to which he is assigned.

No previous extensions of time have been requested by the moving Defendants in this matter. Counsel for Plaintiff has been contacted and does oppose the extension.

No trial date or other deadlines have been set in this case, and the granting of this extension will not impact any deadline.

Wherefore the moving Defendants respectfully requests the Court grant this application to extend the time within which the moving Defendants must answer or otherwise lead to the Complaint by forty-five (45) days, up to and including January 25, 2024.

Dated: November 17, 2023

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

CARLOTTA P. WELLS
Assistant Branch Director

/s/ Robert W. Meyer
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2023, I electronically filed the foregoing document with the Clerk of Court using this Court's CM/ECF system, which will notify all counsel of record of such filing.

/s/Robert W. Meyer

Robert W. Meyer

Trial Attorney

U.S. Department of Justice

Civil Division, Federal Programs Branch